

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

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Attorneys for Lincoln Electric Holdings; The
 ESAB Group, Inc (erroneously named as
 "ESAB Group, Inc., as itself and successor to
 Alloy Rods Inc. and L-TEC Welding and
 Cutting Systems, Inc."); The Lincoln Electric
 Company; A.O. Smith Corporation; Praxair, Inc.
 (erroneously named as "Praxair, Inc., as
 successor to Linde Air Products"); Union
 Carbide Corporation (erroneously named as
 "Union Carbide Corporation, as successor to
 Linde Air Products and Haynes Satellite
 Works"); Viacom Inc., successor by merger to
 CBS Corporation, f/k/a Westinghouse; Hobart
 Brothers Company (erroneously named as
 "Hobart Brothers Company, as itself and
 successor to Teledyne McKay, Inc." and
 "McKay Welding Products"); The BOC Group,
 Inc. f/k/a Airco, Inc. (erroneously named as
 "AIRCO/The BOC Group, Inc., as itself and as
 successor to Airco, Inc. (f/k/a Air reduction Co.)
 and Wilson Welder & Metal Co."); Allegheny
 Technologies, Inc.; Lincoln Global, Inc.;
 Sandvik, Inc. (erroneously named as "Sandvik
 Materials Technology Company"); Airgas Gulf-
 States, Inc., and BOC, Inc. (served herein as
 "BOC Financial Corporation (Former Name)
 BOC, Inc.(True Name)")

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

HARRY BATTISTE, an individual and VERA
 BATTISTE, an individual,

Plaintiffs,

vs.

A.O. SMITH CORPORATION; ADAMS
 HARD-FACING COMPANY, INC.; AIR

No.: C06-04825 MJJ

**STIPULATION AND [PROPOSED]
 ORDER STAYING PROCEEDINGS**

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PRODUCTS & CHEMICALS, INC.; AIRCO INC.; AIRCO/THE BOC GROUP, INC., as itself and as successor to Airco, Inc. (f/k/a Air Reduction Co.) and Wilson Welder & Metal Co.; AIRGAS-GULF STATES, INC.; ALLEGHENY TECHNOLOGIES, INC. as successor to Teledyne-McKay Welding Products; AVESTA POLARIT, INC.; BOC FINANCIAL CORP.; THE BOC GROUP, INC.; CATERPILLAR, INC.; THE ESAB GROUP, INC.; ESAB GROUP, INC., as itself and as successor to Alloy Rods Inc., and L-TEC Welding and Cutting Systems, Inc.; GENERAL ELECTRIC COMPANY; HAYNES INTERNATIONAL, INC.; HOBART BROTHERS COMPANY, as itself and as successor to Teledyne McKay, Inc.; ILLINOIS TOOL WORKS, INC., as successor to Hobart Brothers Corp., Teledyne McKay, Inc. and Miller Electric Manufacturing Corp.; THE LINCOLN ELECTRIC COMPANY LINCOLN ELECTRIC HOLDINGS; LINCOLN GLOBAL, INC., also known as Seal Seat Corporation; MCKAY WELDING PRODUCTS; METROPOLITAN LIFE INSURANCE COMPANY; MILLER ELECTRIC MANUFACTURING CO., INC.; PRAXAIR, INC., as successor to Linde Air Products; RANKIN INDUSTRIES, INC.; STOODY COMPANY, as itself and as successor to the Deloro Stellite Company; THERMADYNE HOLDINGS CORPORATION, as itself and as successor to the Deloro Stellite Company, Stooddy Company, and Tweco Products, Inc.; UNION CARBIDE CORPORATION, as successor to Linde Air Products and Haynes Stellite Works; VIACOM, INC.; WESTINGHOUSE ELECTRIC CORPORATION; J.W. HARRIS COMPANY, INC.; OLSON AND CO. STEEL, individually and as successor-in-interest to BOSTROM-BERGEN METAL PRODUCTS; BOSTROM-BERGEN METAL PRODUCTS; VICTOR EQUIPMENT COMPANY; HUNTINGTON ALLOYS CORPORATION f/k/a Inco Alloys International Inc.; SANDVIK MATERIALS TECHNOLOGY COMPANY; THERMADYNE INDUSTRIES aka Stooddy; EAST BAY WELDING SUPPLY, INC.; CALIFORNIA WELDING SUPPLY COMPANY; GENUINE PARTS COMPANY; and Does 1-1000,

Defendants.

1 IT IS HEREBY STIPULATED by and between the parties hereto through their respective
2 attorneys of record that all proceedings in this matter be stayed pending a transfer of this action to
3 In re Welding Fume Products Liability Litigation, MDL No. 1535 (N.D. Ohio).

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5 Throughout the period during which the transfer is pending, the parties stipulate to a stay of
6 Defendants' obligation to respond to the complaint and of the parties' right to propound discovery.
7 During this period, the parties respectfully request that this Court refrain from issuing any
8 scheduling orders in this matter, including but not limited to case management orders and orders
9 pertaining to Alternative Dispute Resolution. Furthermore, any and all case management
10 conferences currently on calendar are now removed.

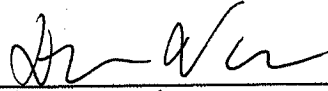
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12 SO STIPULATED AND AGREED

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DATED: August 18, 2006

REED SMITH LLP

By 

Albert B. Norris
Stephen G. Blich
Daniel J. Valim
Attorneys for Defendants
Lincoln Electric Holdings; The ESAB Group, Inc
(erroneously named as "ESAB Group, Inc., as itself
and successor to Alloy Rods Inc. and L-TEC
Welding and Cutting Systems, Inc."); The Lincoln
Electric Company; A.O. Smith Corporation;
Praxair, Inc. (erroneously named as "Praxair, Inc.,
as successor to Linde Air Products"); Union
Carbide Corporation (erroneously named as "Union
Carbide Corporation, as successor to Linde Air
Products and Haynes Satellite Works"); Viacom
Inc., successor by merger to CBS Corporation, f/k/a
Westinghouse; Hobart Brothers Company
(erroneously named as "Hobart Brothers Company,
as itself and successor to Teledyne McKay, Inc."
and "McKay Welding Products"); The BOC Group,
Inc. f/k/a Airco, Inc. (erroneously named as
"AIRCO/The BOC Group, Inc., as itself and as
successor to Airco, Inc. (f/k/a Air reduction Co.)
and Wilson Welder & Metal Co."); Allegheny
Technologies, Inc.; Lincoln Global, Inc.; Sandvik,
Inc. (erroneously named as "Sandvik Materials
Technology Company"); Airgas Gulf-States, Inc.,
and BOC, Inc. (served herein as "BOC Financial
Corporation (Former Name) BOC, Inc.(True
Name)")

DATED: 8/23/06

GREENE BROILLET & WHEELER, LLP

By 

Bruce Fishelman
Helaine Hatter
Attorneys for Plaintiffs

1 PURSUANT TO STIPULATION, IT IS SO ORDERED

2
3 DATED: 8/28/2006

4 By 
5 The Honorable Martin J. Jenkins

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